

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

Craftwood Lumber Company, an Illinois corporation, individually and on behalf of all others similarly situated,

Plaintiff,

v.

Senco Brands, Inc.,

Defendant.

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Case No. 1:14-cv-06866

**Hon. John Robert Blakey**

**Plaintiff's and Defendant's Joint Stipulation to Continue Discovery Cutoff and Summary Judgment Proceedings**

Plaintiff Craftwood Lumber Company and Defendant Senco Brands, Inc., stipulate to an order continuing the discovery cutoff and proceedings on SBI's motion for summary judgment. The requested order continues all such dates by six weeks. The stipulation is entered into in reference to the following facts:

1. At the December 14, 2015, hearing on Plaintiff's motion to compel discovery, the Court set the fact discovery cutoff for April 4, 2016, and ordered Plaintiff to file its opposition to SBI's summary judgment motion by April 22, 2016, and SBI to file its reply papers by May 6, 2016. (ECF No. 76.) The hearing on SBI's summary judgment motion is now set for May 16, 2016. (ECF No. 75.)

2. A few days after the hearing, Plaintiff served on SBI requests for admissions,

interrogatories, and Rule 34 requests. All discovery was directed to issues presented by SBI's summary judgment motion.

3. On February 1, 2016, following an extension of time granted by Plaintiff, SBI served its responses and objections to Plaintiff's written discovery. Plaintiff immediately requested a Local Rule 37.2 meeting concerning SBI's responses, and the parties have had numerous discussions and communications concerning the responses.

4. The parties have agreed to mediate this litigation before Bruce Friedman, of the Santa Monica, California, office of JAMS. The all-day mediation will take place on April 6, 2016, the earliest day on which Mr. Friedman was available.

5. The parties have agreed to streamline discovery and defer further proceedings on Plaintiff's anticipated motion to compel discovery in consideration of the mediation. As part of this agreement, on or before March 9, 2016, SBI will serve substantive responses, without objection, to several requests for admission and to both interrogatories (nos. 11 and 12), and will comply with certain specifications in Plaintiff's rule 34 request. Plaintiff has agreed to defer a deposition of SBI on certain topics and further proceedings on its anticipated motion to compel discovery. If the case does not settle at mediation, the parties will revisit those matters and Plaintiff anticipates some additional discovery will be necessary. The parties believe and represent that this approach is designed to minimize attorneys' fees and costs before mediation.

6. The parties represent that a short extension of the April 4 discovery cutoff and proceedings on SBI's summary judgment motion is warranted to give effect to their pre-mediation approach. The parties therefore jointly request entry of the order submitted concurrently with this stipulation, to extend those dates by six weeks. The new proposed

discovery cutoff would be May 16, 2016, and the hearing on SBI's summary judgment motion would be June 27, 2016, subject to the Court's calendar. The briefing schedule on the summary judgment motion would also be continued six weeks.

7. The parties represent that this request is not intended for purpose of delay, but to conduct the case in the most cost-effective manner by avoiding fees and costs if the case settles at mediation. If the case does not settle, the requested continuance of dates would permit the parties to conduct further proceedings on discovery before completing briefing on SBI's summary judgment motion.

DATED: March 3, 2016

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DATED: March 3, 2016

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